



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First,
Second, and Third Tuesday
of each month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

May 19, 2009

9:00 AM Meeting Called to Order by Chairman, Bill Reid

Pledge of Allegiance led by Marshall Rudolph, County Counsel

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one appeared.

BOARD MEMBER REPORTS

Supervisor Bauer:

1. ESTA meeting in Ridgecrest. Discussion of the various transit agencies and their missions along with the need to reevaluate those missions to be compatible with one another.
2. Looking into renting 500 vacant homes on a transient basis. Need to look into the zoning and regulation of this project with Scott Burns and TOT issues. Discussed the need to get Tourism involved, in particular Sarah McCahill. Would like to discuss at the 3rd meeting in June.

Supervisor Farnetti:

1. Conversation with Dan Lyster regarding Stimulus money and if anyone was watching this to benefit Mono County. Indicated that in most cases Mono County fell below population thresholds. Issue will be discussed at NACO this summer.
2. Phone calls from business owners in Mammoth thanking the Board for their action.
3. RCTC and CSAC emails regarding the State May budget revision. The state is in dire straights, turning over jailed undocumented aliens to the Federal Government, and various other issues impacting our local revenues. Made a commentary on the State Legislators passing on their responsibilities to the voters.

Supervisor Hazard:

1. Redding, California Emerging Technology meeting with Greg Newbry. 50-60 attendees with 50% of the people being technology providers.
2. Meeting in Ridgecrest concerning a private development corporation bringing in technologies to their new communities. Turn the project over later to Kern, Inyo & Mono (the counties in the emerging technologies group in the Eastern Sierra) to operate. Can use Federal Stimulus money to bankroll this project.

3. Meeting in Chalfant with Sheriff to discuss shooting and Water issues.

Supervisor Hunt:

1. Rotary Club meeting – Town presented their budget and discussed taking a new process in their budgeting process. Town is committed to looking at their budget regularly and adjusting as needed.
2. Spent the last four days with Supervisor Bauer meeting with ESTA (Eastern Sierra Transit Authority) and discussed again the mission of the agency.
3. Attended a regular meeting with ESTA last night where chartering buses to/by private parties and new regulations were discussed. Also discussed a line of credit for the budget.
4. The regular meeting was followed a Special Meeting of ESTA for the employees – namely the bus drivers. Discussed economics and political dynamics.

Chairman Reid:

1. Antelope Valley RPAC meeting with Assessor.
2. Striping on Benton Crossing Road.
3. Cottonwood Canyon road.
4. Sexual Harassment training.
5. Jail needs RFP meetings.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (David Wilbrecht)
Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

David Wilbrecht:

1. Property acquisition in Hammil Valley is progressing. Establishing the timing of the closing.
2. Continuing to work with the Town and the Consultant on the ERAF issue.
3. Town is anxious to close the sale of the Church parcel. Meeting to discuss is set in June.
4. On-going training with staff.
5. Town-County Liaison meeting on Thursday.
6. Out of town Thursday and Friday of next week.

- 2) **APPROVAL OF MINUTES**

M09-105

Approve minutes of the regular meeting held May 5, 2009.
Moved by Supervisor Byng Hunt, seconded by Supervisor Duane “Hap” Hazard to approve minutes of the regular meeting held May 5, 2009.
Ayes: Supervisors Hunt, Farnetti, Bauer, Hazard and Reid. Nays: None.
Absent: None. Abstain: None.

CLOSED SESSION

Closed Session: The Board entered closed session at the hour of 9:04 a.m. joined by Dave Wilbrecht, County Administrative Officer; Marshall Rudolph, County Counsel; Robert Garret, Deputy County Administrator and Brian Muir, Finance Director.

Reconvened: The Board exited closed session at the hour of 9:27 a.m.

Report out of closed session: None.

Break: Was taken from 9:27 a.m. to 9:44 a.m.

HUMAN RESOURCES

- 3a) Labor Negotiations - CONFERENCE WITH LABOR NEGOTIATORS.
Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Marshall Rudolph, Brian Muir, and Robert Garret. Unrepresented employee(s): Assistant Public Works Director.

DEPARTMENT REPORTS/EMERGING ISSUES

Brian Muir, Finance Director discussed Governor's May Budget Revision. Brought to the Board's attention if the budget measure does not pass in today's election, would result in contributions of approximately \$1.5 million from the County and \$350,000 from the Town to support the State Budget. Mentioned the letters to the Special Districts regarding their State Controller's report.

Sheriff Rick Scholl, discussed the Jail Needs Assessment. Received many good proposals. Responded to a Domestic Violence call in Chalfant Valley last Thursday where shots were fired. After negotiations suspect was ultimately tasered with no injury to officers, suspects or victims. Had praise for the officers handling the situation well. Two deputies and three California Highway Patrol Officers. Deputy Paul Sanders tendered his resignation and will go to work for the Department of Homeland Security in Orange County. Can recruit in as early as three weeks. Shannon Kendall is also leaving the department and moving to the County Clerk's office and recruitments for a replacement are in progress.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

Moved by Supervisor Hazard, seconded by Supervisor Farnetti and unanimously approved.

FINANCE

- 4a) County Fees - Consider and potentially adopt proposed resolution, "A Resolution of the Mono County Board of Supervisors adopting fees for certain county permits and other services, and authorizing the Finance Director to compile and maintain one or more lists of county fees."
- R09-21** **Action:** Adopt **Resolution R09-21** "A Resolution of the Mono County Board of Supervisors adopting fees for certain county permits and other services, and authorizing the Finance Director to compile and maintain one or more lists of county fees."

PUBLIC WORKS

- 5a) County Maintained Mileage for FY09-10 - Consider and potentially adopt annual resolution confirming maintained mileage in the County Road System.
- R09-22** **Action: Adopt Resolution R09-22** "A Resolution of the Mono County Board of Supervisors Specifying Additions and/or Exclusions to the Maintained Mileage Within the County Road System and Establishing Maintained Mileage for Fiscal Year 2009–2010."

ECONOMIC DEVELOPMENT

- 6a) Eastern Sierra Institute for Collaborative Education - Consider and potentially approve second amendment to contract with the Eastern Sierra Institute for Collaborative Education (ESICE) for the provision of heritage tourism services. The amendment grants ESICE the right to use audio interviews created during the project for other non-profit audio projects, not affiliated with Mono County. In addition the amendment restricts Mono County's use of the audio CD for non-commercial, non-profit purposes only. Authorize Dan Lyster/Sarah McCahill to execute said contract on behalf of the County.
- M09-106** **Action:** Approve second amendment to contract with the Eastern Sierra Institute for Collaborative Education (ESICE) for the provision of heritage tourism services.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK-RECORDER

- 7a) Mammoth Lakes Trails and Public Access - Letter from John Wentworth, President, MLTPA Foundation Board, providing the Board of Supervisors with a statement of work completed pertaining to a grant received from the County.
- 7b) Eastern Sierra Unified School District - Letter from Don Clark, Superintendent, Eastern Sierra Unified School District, thanking the Board of Supervisors for their commitment to renovating the Walker Baseball Field.
- 7c) Coleville Varsity Baseball Team - Letter from Coach Sean Cianfarano and the Coleville Varsity Baseball Team thanking the Board of Supervisors for the new baseball field.
- 7d) Coleville High School - Letter from Jason Reid, Principal, Coleville High School, thanking the Board of Supervisors for their commitment to the Walker Baseball

Field project.

The Board acknowledged receipt of the correspondence.

BOARD OF SUPERVISORS

- 8a) Devils Postpile National Monument (**Deanna Dulen, Superintendent, and Amanda Kaplan, Project Manager**) - Presentation regarding the future of Devils Postpile National Monument and the General Management Plan. Supervisor Bauer announced the partnership of ESTA and the Park to provide bus service to the Devil's Postpile National Monument and the Red's Meadow areas.

Presentation made by Superintendent Deanna Dulen and accompanied by Amanda Kaplan, Project Manager, and Brad Phillips, Technology expert. Discussed the history of the monument and how the move to create the monument began. The presentation was accompanied by a PowerPoint presentation highlighting the geologic, natural and ecological diversity of the area.

As the Monument approaches its centennial, the Monument is developing a General Management Plan that will plan out the next 15-20 years. Questions to be asked, 1) What is our desired condition – natural and cultural; visitor experiences and activities and what infrastructure is needed. 2) Is desired condition consistent with the mission of the Monument. An EIS prepared in accordance with NEPA is required.

Why is a General Management Plan necessary? It is an opportunity to consolidate services between the local National Forest and surrounding agencies and enhance visitor experiences. To protect natural and resources and adjust to climate changes.

Discussion of collaboration with the Inyo National Forest to coordinate transportation and resource management. The planning area includes the upper San Joaquin river watershed. Hopes to distribute and implement by 2013 and the draft plan out by 2011, and indicated that there is the opportunity for public involvement. The public scoping will begin in June 2009 and continue through September 30, 2009. Scoping will include open houses in July and September and distribution of newsletters and information to visitors. Information will be provided in newsletters and on the Web.

The Monument staff will be happy to meet discuss the project with any interested group or persons. They are establishing a mailing list and will leave postcards for people to return to sign up.

Stakeholders are anyone who operates a business within the area, the local communities and/or businesses. The Monument gets approximately 100 to 150 thousand visitors a year. Because of the mandatory bus system, the capacity has increased threefold and has increased the quality of the experience due to staggering visitors at regular intervals.

The Board engaged in a question and answer session with Monument staff regarding a variety of issues.

Action: No Action taken.

Additional Departments: County Counsel, County Administrator

- 8b) June Lake Visitors Center (**Vikki Bauer**) - Proposed lease of retail space in June Lake for a visitors' center, and proposed agreement with June Mountain (MMSA), the June Lake Chamber of Commerce, and/or the June Lake Economic Development Corporation regarding funding and provision of an employee to staff the visitors center for approximately three months. Supervisor Bauer displayed from her computer a banner being designed for the new proposed visitors' center. Marshall Rudolph presented the staff report. The proposed site is in the Rainbow Ridge Realty building with a month-to-month lease at \$650.00 per month.

The project is also a joint project with the Mountain to staff the visitors' center.

- M09-107** **Action:** 1) Authorize the County Administrator, in consultation with County Counsel, to negotiate and enter into a lease and/or agreement on a month-to-month basis not to exceed \$650/month, and 2) Authorize the County Administrative Officer, in consultation with County Counsel, to negotiate and enter into an agreement with June Mountain (MMSA), June Lake Chamber of Commerce and the June Lake Economic Development Corporation regarding funding and provision of an employee to staff the visitors' center for approximately three months in an amount not to exceed \$4,000,00.
M: Hazard; S: Bauer; Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

HUMAN RESOURCES

- 9a) Employment Agreement (**Robert Garret**) - Consider and potentially adopt proposed resolution approving an employment agreement with Evan Nikirk and prescribing the compensation, appointment, and conditions of said employment. (Note: Mr. Nikirk is currently employed as the Public Works Director and the proposed agreement would simply continue such employment at his current salary). Receive staff report.
Mr. Garret discussed Mr. Nikirk's qualifications and recommended approval of the contract and resolution.

- R09-23** **Action: Adopt Resolution R09-23** approving an employment agreement with Evan Nikirk and prescribing the compensation, appointment, and conditions of said employment.
M: Bauer. S: Farnetti. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

- 9b) Employment Agreement (**Robert Garret**) - Consider and potentially adopt proposed resolution approving an employment agreement with Beverlee Bryant and prescribing the compensation, appointment, and conditions of said employment. (Note: Ms. Bryant is currently employed as the Chief Probation Officer and the proposed agreement would simply continue such employment at her current salary). Receive staff report.
Mr. Garrett discussed Ms. Bryant's qualifications and recommended approving the contract and

resolution.

- R09-24** **Action:** Adopt **Resolution R09-24** approving an employment agreement with Beverlee Bryant and prescribing the compensation, appointment, and conditions of said employment.
M: Hunt. S: Farnetti. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

- 9c) Employment Contract (**Robert Garret**) - Consider and potentially adopt proposed resolution approving an employment agreement with David Humes. Receive staff report.
Mr. Garrett discussed Mr. Humes' qualifications and his willingness to fill in while another employee is out on maternity leave. He recommended approval of the employment agreement and resolution.

- R09-25** **Action:** Adopt **Resolution R09-25** approving an employment agreement with David Humes.
M: Hunt. S: Farnetti. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

- 9d) Employment Contract (**Robert Garret**) - Consider and potentially adopt proposed resolution approving an employment agreement with Carolyn Balliet and prescribing the compensation, appointment, and conditions of said employment. (Note: Ms. Balliet is currently employed by the Public Health Department and the proposed agreement would simply continue such employment). Receive staff report.
Mr. Garret discussed the qualifications of Ms. Balliet and recommended approval of employment agreement and resolution.

- R09-26** **Action:** Adopt **Resolution R09-26** approving an employment agreement with Carolyn Balliet and prescribing the compensation, appointment, and conditions of said employment.
M: Hunt. S: Farnetti. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

- 9e) Memorandum of Understanding (**Robert Garret**) - Consider and potentially adopt proposed resolution adopting and approving a Memorandum of Understanding Between the County and the Mono County Public Safety Officers Association. Receive staff report.
Mr. Garrett discussed the base terms of the 2-year MOU and recommended approval.

- R09-27** **Action:** Adopt **Resolution R09-27** adopting and approving a Memorandum of Understanding Between the County and the Mono County Public Safety Officers Association.
M: Hazard. S: Hunt. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

- 9f) Memorandum of Understanding (**Robert Garret**) - Consider and potentially adopt proposed resolution adopting and approving a Memorandum of

Understanding between the County and the Mono County Paramedic Rescue Association. Receive staff report.

Mr. Garret discussed the terms of the 3-year MOU and clarified their classification in the public safety group and discussed the change in overtime reporting. Approval of the MOU and resolution was recommended.

R09-28 **Action:** Adopt **Resolution R09-28** adopting and approving a Memorandum of Understanding between the County and the Mono County Paramedic Rescue Association.

M: Bauer. S: Farnetti. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

9g) Memorandum of Understanding (**Robert Garret**) - Consider and potentially adopt proposed resolution adopting and approving a Memorandum of Understanding between the County and the Mono County Deputy Sheriff's Association. Receive staff report.

Mr. Garret discussed the new 2-year agreement and new educational incentives, holiday pay and longevity pay. Approval of the MOU and resolution was recommended.

R09-29 **Action:** Adopt **Resolution R09-29** adopting and approving a Memorandum of Understanding between the County and the Mono County Deputy Sheriff's Association.

M: Farnetti. S: Hunt. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

9h) Memorandum of Understanding (**Robert Garret**) - Consider and potentially adopt proposed resolution adopting and approving a Memorandum of Understanding between the County and the Mono Sheriff Department's Management Association. Receive staff report.

Mr. Garret discussed this new 2-year agreement of the base increase and CPI adjustment. He recommended approval of both the MOU and resolution.

R09-30 **Action:** Adopt **Resolution R09-30** adopting and approving a Memorandum of Understanding between the County and the Mono Sheriff Department's Management Association.

M: Hunt. S: Farnetti. Ayes: 5-0; Nays: None. Absent: None; Abstain: None.

LUNCH RECESS was taken from 11:53 a.m. to 1:00 p.m.

Supervisor Bauer did not return to the meeting as she needed to travel to a NACO meeting.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

PUBLIC WORKS

- 10a) Solid Waste Parcel Fee Program, FY09-10 (**Matt Carter**) - Consider and potentially approve a resolution extending solid waste fees for FY09-10 and a resolution authorizing an agreement with the Town of Mammoth Lakes to extend solid waste fees within its jurisdiction.
Matt Carter spoke on behalf of the fees. Gave a brief background and a summary of the fees.
- R09-31** **Action:** 1. Adopt **Resolution R09-31**, "A Resolution of the Mono County Board of Supervisors Extending and Re-Establishing the Mono County Solid Waste Fee Program for Fiscal Year 2009-2010." 2. Adopt **Resolution R09-32**, "A
- R09-32** Resolution of the Mono County Board of Supervisors Authorizing the Implementation of a Solid Waste Fee Agreement with the Town of Mammoth Lakes for Fiscal Year 2009-2010."
M: Hunt. S: Farnetti. Ayes: 4-0; Nays: None. Absent: Bauer; Abstain: None.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Economic Development, Planning, Public Works

- 11a) 2009/10 Community Development Block Grant Application (**Mary Booher**) - Receive presentation by staff regarding possible programs and projects for inclusion in the 2009/10 CDBG General Allocation Application. Provide any desired direction to staff.
Staff report given by Mary Booher. CDBG General Allocation Grants are competitive bidding grants with the deadline for application in July. In addition, planning grants given on a first come, first served basis. Awards will be announced in October 2009. Mono County is eligible to apply for up to \$800,000 in grants. Certain grants are defined by community populations. Four general granting areas are available: Housing and Rehabilitation; Homeownership Assistance; (or a combination of thereof); Program assistance and Project grants. Staff has met and public hearings are required. Staff recommends a combination of a project and housing assistance.

Mary discussed potential projects which also include land acquisition. Discussed also a planning and technical advisory grant and the possibility of hiring a consultant, David Nelson.

The Board then asked questions and potential projects such as child care in Bridgeport were discussed and new community centers. The merits of a rehabilitation program were discussed. Maximum planning grants to be obtained is two—one in economic development and one general in the amount of \$35,000 each. Discussed also a potential project for the Whitmore pool and park.

- M09-108** **Action:** Move forward to prepare a Planning and Technical Grant for a geo project under economic development and a general Planning and Technical Grant for Walker community center. Negotiate a contract with David Nelson for preparation of two planning and technical grants.
M: Farnetti. S: Hazard. Ayes: 4-0; Nays: None. Absent: Bauer; Abstain: None.

- M09-109** **Action:** Defer any decision on the application for the CDBG General Application grant until after the presentation by TRG Consulting, Inc. of the Needs Assessment Study.
M: Hazard. S: Hunt. Ayes: 4-0; Nays: None. Absent: Bauer; Abstain: None.

Break was taken from 2:11 p.m. to 2:18 p.m.

- 11b) Presentation by Central Nevada Regional Water Authority (**Steve Bradhurst, Executive Director**) - Receive presentation by Steve Bradhurst regarding information on the Central Nevada Regional Water Authority and receive an invitation for Mono County to attend the June 12, 2009, Authority meeting in Tonopah, Nevada. Consider and potentially adopt a minute order authorizing a member of the Board of Supervisors or a staff member to attend the June 12, 2009, Authority meeting in Tonopah.

Steve Bradhurst, Executive Director, introduced Warren Russell, Commissioner, Elko County, Nevada and originator of the Central Nevada Regional Water Authority who then spoke. Discussed the benefits of joining their Regional Water Authority. There is no cost involved. The benefits are the sharing of knowledge of water issues in the Great Basin. Inyo County is sending two Supervisors to their meeting even though they have not yet made the commitment to join the Regional Water Authority. The goal is to educate people on water issues of the area to prevent water raids. The mission is to protect the water resources of Nevada's Central Hydrographic Region so the Region will not only have an economic future, but its valued quality of life and natural environment will be maintained.

Steve Bradhurst then discussed the handout giving an overview of what is discussed on the various pages pointing out that the region with the water only has about 4% of the population. Discussion of the validity of land use planning linked with water resources and the current state of Nevada legislation. He then briefly discussed their proposed Memorandum of Understanding and formally invited the Board to their next meeting on June 12, 2009, at the Station House Casino located in Tonopah, NV.

Benny Romero, local resident, member of the Nevada Board of Agriculture. Suggested that agriculture be included within this group. Both Mr. Bradhurst and Commissioner Russell addressed the questions posed by Mr. Romero. They do not have a 501(c) status and do not have the resources to purchase land – the group primarily meets to discuss the issues and ideas and solutions to the issues. Agricultural is a primary concern, but want to keep their originating documents neutral without controversy.

Mr. Romero then discussed agricultural and ranching in relationship to water usage and quality. When asked when the group was formed, the reply was in the summer of 2005 – almost 4 years old.

Supervisor Hazard suggested the Water Authority get in contact with the Tri-Valley Water District. Supervisor Farnetti requested that Marshall Rudolph, County Counsel, discuss the differences between California and Nevada water laws. California has more local control of their groundwater, the State of Nevada regulates Nevada groundwater. CEQA plays an important part in the regulation of groundwater.

Stacey Simon, Assistant County Counsel, elaborated on the differences and that because of the

historic differences in water management between the states, a cultural difference has also arisen.

Mr. Bradhurst again wanted to make it clear that their organization is designed to protect and preserve the water in the area and resist any water takeovers.

Mr. Russell suggested being proactive, as a water grab from one area may have affect across not only counties, but states as well.

Mr. Bradhurst re-emphasized that this is a loose organization, while some counties provide a \$7,500 fee. To participate in the annual meetings and email correspondence requires no fee.

M09-110

Action: Authorize Chairman Reid and appropriate staff to travel to Tonopah, NV on June 12, 2009, to attend the meeting of the Central Nevada Regional Water Authority.

M: Hazard. S: Hunt. Ayes: 4-0; Nays: None. Absent: Bauer; Abstain: None.

ADJOURN: The regular meeting of the Board of Supervisors adjourned at the hour of 3:14 p.m. and will convene in regular session on June 2, 2009.

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